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**REMARKS**

Applicants respectfully request favorable reconsideration of the subject application, particularly in view of the above Amendment and the following remarks.

The present invention is directed to a liquid permeable composite material suitable for use as a liner system in personal care absorbent products for accommodating passage of fluids through the composite material. In one embodiment of this invention, the composite material is particularly suitable for accommodating passage of high viscosity fluids containing particles, wherein a first layer of the composite material includes a plurality of slits or apertures that extend through the first layer to permit the passage of the high viscosity fluids including the particles which may be contained therein through the first layer.

A substructure is bonded to the first layer to form or define a plurality of voids that entrap particles contained within the high viscosity fluid after passing through the apertures in the first layer. The liquid permeable composite material can be bonded or laminated to an outer cover and an absorbent core can be positioned between the composite material and the outer cover. The high viscosity fluid moves through the first layer into the substructure, wherein particles contained in the fluid are separated from the fluid and are entrapped within the voids formed in the composite material. The fluid is absorbed through the substructure and into the absorbent core to reduce leakage and rewet.

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**a). Description Of Amendments**

Claims 1-29 remain in this application.

Applicants have amended independent Claim 1 to require a liquid permeable two layer composite material comprising a substructure bonded to a first layer to define a plurality of voids for entrapping particles contained within a liquid. This amendment is fully supported in the Specification, for example at page 14, lines 4-10 and page 15, line 8 through page 16, line 2.

Applicants have amended independent Claim 16 to require a substructure bonded to the first layer at a plurality of bonding locations to form a plurality of compartments, the apertures forming fluid communication between the first layer and the substructure and the compartments entrapping particles contained within a fluid which passes through the composite material. This amendment is fully supported in the Specification, for example at page 15, line 8 through page 16, line 2.

Applicants have amended independent Claim 20 to require a substructure bonded to the liner to form a plurality of voids for entrapping particles contained within a liquid which passes through the composite material. This amendment is fully supported in the Specification, for example at page 14, lines 4-10 and page 15, line 8 through page 16, line 2.

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**b). Request For Telephone Interview**

Applicants' undersigned attorney requests a telephone interview with the Examiner. The undersigned requests this interview if the amendments and arguments are not deemed sufficient to place the application in condition for allowance. If the Examiner feels the claims are not allowable for any reason, then please telephone the undersigned, Eric T. Krischke, at 847.490.1400.

**c.) Response to Claim Rejections**

The rejection of Claims 1-4, 6-8, 10 and 13-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,420,625 ("Jones et al.") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

The present invention as claimed in amended independent Claim 1 requires a liquid permeable two layer composite material comprising a first layer forming a plurality of apertures and a substructure bonded to the first layer, wherein the substructure and the first layer define *a plurality of voids for entrapping particles contained within a liquid*. As set forth in Applicants' specification, the liquid permeable composite material of the present invention is suitable for use as a liner system in personal care absorbent products. As high viscosity fluids move through the apertures formed in the first layer to the substructure, the particles contained in the fluid are separated from the fluid and are entrapped within the voids formed by the

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first layer and the substructure. The fluid is absorbed through the substructure and can be contained within an absorbent core underlying the composite material.

Jones et al. discloses a breathable, liquid-impermeable film/nonwoven laminate. The laminate comprises at least three layers: a nonwoven, an apertured film, and a breathable, nonporous, but liquid-impervious, film. Jones et al. at Col. 4, lines 29-33. The laminate material is particularly useful for forming a liquid-impermeable, vapor-pervious backsheet for various absorbent article, such as diapers, sanitary napkins, incontinent garments, and the like. Jones et al. at Col. 6, lines 10-14. The Examiner alleges that Jones et al. discloses a first layer containing an apertured film having an underside that contains voids. However, Jones et al. discloses that apertured film forms protuberances or cones on a first side of the film and corresponding valleys or voids on an opposing second side of the film, during the aperturing process. The protuberances and corresponding valleys formed by each aperture during the aperturing process, as disclosed in Jones et al., are substantially different than the plurality of voids formed by bonding the substructure and the first layer, as required by Applicants' claimed invention. The protuberances and corresponding voids formed by each aperture in Jones et al. provide vapor transmission and not particle entrapment.

In the present invention, voids are formed by bonding a substructure and a first layer. The apertures in the first layer provide liquid communication between

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the first layer and the substructure to permit the passage of high viscosity fluids including the particles, which may be contained therein, through the first layer. When high viscosity fluid passes through the apertures, particles that may be contained in the fluid are entrapped within the voids formed or defined by the first layer and the substructure as the fluid passes through the substructure into a layer underlying the liquid permeable composite material, such as an absorbent core. Unlike the backsheet disclosed in Jones et al., the liquid permeable composite material of the present invention is suitable for use as a liner system in personal care absorbent products for accommodating passage of fluids through the composite material, and particularly suitable for masking high viscosity fluids containing particles.

Jones et al. does not teach or suggest a liquid permeable two layer composite material comprising a first layer and a substructure bonded to the first layer to define a plurality of voids for entrapping particles contained within a fluid, as required by Applicants' claimed invention. Rather, Jones et al. teaches a laminate having at least three layers including an apertured film layer, which when laminated to the breathable film layer and/or the nonwoven layer, provides a liquid impermeable laminate suitable as a backsheet.

Applicants urge that the above Amendment and remarks overcome the rejection of Claims 1-4, 6-8, 10 and 13-15 under 35 U.S.C. § 102(e) as being

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anticipated by Jones et al. Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claim 16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,267,975 ("Smith, III et al.") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

The present invention as claimed in amended independent Claim 16 requires a composite material comprising a first layer forming a plurality of apertures and a substructure bonded to the first layer at a plurality of bonding locations to form a plurality of compartments, the apertures forming fluid communication between the first layer and substructure and the compartments entrapping particles contained within a fluid which passes through the composite material.

Smith, III et al. discloses a dry, disposable personal cleansing article comprising a water insoluble substrate having at least two layers suitable for contact with a skin surface and a cleansing component or a therapeutic component disposed adjacent the first and second layer including a lathering surfactant. Smith, III et al. at Col. 2, lines 37-62. Smith, III et al. further discloses a personal cleansing article in one embodiment comprising one or more chambers defining enclosed areas. These chambers separate various article components from one another. Smith, III et al. at Col. 27, lines 49-55.

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Smith, III et al. does not teach or suggest a composite material comprising a first layer forming a plurality of apertures and a substructure bonded to the first layer at a plurality of bonding locations to form a plurality of compartments, the apertures forming fluid communication between the first layer and the substructure and the compartments entrapping particles contained within a fluid which passes through the composite material, as required by Applicants' claimed invention. Rather, Smith, III et al. teaches an enclosed chamber containing article components. Thus, the enclosed chamber of Smith, III et al. does not provide a plurality of apertures forming fluid communication between the first layer and the substructure, for accommodating passage of fluids through the composite material, nor does the enclosed chamber define compartments for entrapping particles contained within a fluid which passes through the composite material, as required by Applicants' claimed invention.

Applicants urge that the above Amendment and remarks overcome the rejection of Claim 16 under U.S.C. § 102(e) as being anticipated by Smith, III et al. Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 1-5, 10, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,643,240 ("Jackson et al.") in view of Jones et al. is respectfully traversed, particularly in view of the above Amendment and the following remarks.

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Jackson et al. teaches a composite material comprising an apertured film and a lofty fibrous nonwoven web separation layer. However, as indicated by the Examiner at paragraph 7 of the Office Action, Jackson et al. does not teach or suggest voids within the film and nonwoven layer, as required by Applicants' claimed invention. As discussed above, Jones et al. does not teach or suggest claimed features of Applicants' claimed invention and, thus, does not overcome the deficiencies of Jackson et al.

Accordingly, Applicants respectfully urge that Jackson et al., alone or in combination with Jones et al., does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 1, 9, 11 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of U.S. Patent 5,906,879 ("Huntoon et al.") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

As discussed above, Jones et al. fails to teach or suggest features of Applicants' claimed invention. Huntoon et al. fails to overcome the deficiencies of Jones et al. Huntoon et al. merely teaches a three-dimensional thermoformed bicomponent fiber nonwoven material comprising a lofty bicomponent material layer forming a plurality of peaks separated from one another by channels. Huntoon et al.

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does not teach certain features of the present invention as claimed in amended independent Claim 1. Namely, Huntoon et al. does not teach a first layer forming a plurality of apertures, and a substructure bonded to the first layer, wherein the substructure and the first layer define a plurality of voids for entrapping particles contained within a liquid.

Accordingly, Applicants respectfully urge that Jones et al. alone or combination with Huntoon et al., does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 16-19 under 35 U.S.C. § 103(a) as being unpatentable over Smith, III et al. is respectfully traversed, particularly in view of the above Amendment and the following remarks.

As discussed above, Smith, III et al. fails to teach or suggest certain features of Applicants' claimed invention. Claims 17-19 depend from and further limit amended independent Claim 16, which Applicants believe is patentable for at least the reasons presented above. As indicated by the Examiner at paragraph 9 of the Office Action, Smith, III et al. does not disclose the cross-sectional type of the compartments or the height and width of the compartments, as claimed in dependent Claims 17-19. However, the Examiner alleges that these are optimizable features. As set forth above, Smith, III et al. does not teach features of Applicants' invention

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as claimed in independent Claim 16, regardless of the features claimed in dependent Claims 17-19. Accordingly, Applicants respectfully urge that Smith, III et al. does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 20-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,853,403 ("Tanzer et al.") in view of Jones et al. is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Tanzer et al. discloses a liquid control member designed to stay in contact with the urethral region of the wearer to control the input of liquid to the absorbent assembly. The liquid control member has a first stationary zone bonded to a front waist region of the garment and a second stationary zone bonded to a back waist region of the garment, with a elasticized zone positioned between the stationary zones and unadhered to the garment.

As indicated by the Examiner at paragraph 10 of the Office Action, Tanzer et al. does not teach or suggest voids formed by bonding the substructure to the liner of the composite material for entrapping particles contained within a fluid which passes through the composite material. As discussed above, Jones et al. does not overcome the deficiencies of Tanzer et al. Jones et al. teaches a laminate having at least three layers including an apertured film layer, which when laminated to the

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breathable film layer and/or the nonwoven layer, will not define voids, as in the present invention, for entrapping particles contained within a fluid which passes through the composite material. Jones et al. teaches using a liquid impermeable film layer, in combination with an apertured film layer, to ensure that a backsheets formed of the laminate will be liquid impermeable.

Accordingly, Applicants respectfully urge that Tanzer et al., alone or in combination with Jones et al., does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

### CONCLUSION

Applicants believe that the claims, as now presented, are in condition for allowance and, thus, respectfully requests early allowance. Again, Applicants' attorney thanks the Examiner for her careful consideration of the claimed invention and prior art references.

Respectfully submitted,



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